

TESTIMONY OF

Reice Haase, Director, Department of Water Resources

Chair Roers, and members of the Senate State and Local Government Committee, I am Reice Haase, the Director of the Department of Water Resources (DWR). I'm here today to provide testimony in support of Senate Bill 2308.

Senate Bill 2308, in part, repeals North Dakota Century Code (N.D.C.C.) ch. 43-35 related to the State Board of Water Well Contractors. The bill also repeals the North Dakota Atmospheric Resource Board and the Devils Lake Outlet Management Advisory Committee.

The Board of Water Well Contractors regulates water well contractors, pump and pitless installers, and geothermal system contractors. The board consists of seven members, including a Department of Environmental Quality (DEQ) representative, a DWR representative, and five governor-appointed members.

The Board's Executive Officer, who is also the Board's DWR representative, oversees budgeting, licensing, renewals, testing, well driller report filings, continuing education tracking, public complaints regarding contractors, and two part-time employees—an administrative assistant and field representative.

N.D.C.C. ch. 43-35 has sections requiring Board licensed contractors to adhere to construction standards outlined in DEQ rules for water wells, pump and pitless units and monitoring wells. Additionally, geothermal system contractors are required to adhere to construction standards adopted under State Geologist rules.

The Board's statutory authorities regarding non-compliance and enforcement with DEQ and the State Geologist regulations seem best reserved for those agencies, and not DWR.

Therefore, DWR respectfully requests the adoption of the amendment presented by Ms. Allyson Hicks which replaces 'regulate' with 'license', to properly reflect the DWR role (page 17, line 13).

The Devils Lake Outlet Management Advisory Committee consists of 17 members and makes recommendations to DWR regarding the operation of the Devils Lake outlets. The outlets are managed by the department to manage the level of Devils Lake and mitigate the risk of future flooding. DWR is committed to working with stakeholders and soliciting feedback, and the department can accomplish this work without a formal board.

The North Dakota Atmospheric Resources Board consists of 10 members and its primary function is to license weather modification contractors and to permit cloud seeding operations. The board operates under the supervision of DWR. SB 2308 would eliminate the board and would place those responsibilities under the department.

Thank you for your time, and I would be more than willing to answer any questions the committee may have.